



**Dental Amalgam Separator Certification Guidance During State of Emergency
for COVID-19 Pandemic
(Issue Date: April 28, 2020)
(Amended: August 12, 2020)**

The Massachusetts Department of Environmental Protection (MassDEP) is amending its April 28, 2020, Dental Amalgam Separator Certification Guidance During State of Emergency for COVID-19 Pandemic (Amended Guidance). Effective on August 12, 2020, MassDEP is implementing the following Amended Guidance resulting from the COVID-19 pandemic and pertaining to enforcement discretion for noncompliance related to submission of the dental amalgam separator certification that are covered by this Guidance and are resulting from the COVID-19 pandemic, if regulated entities take the actions as set forth in this Guidance.

- **MassDEP will treat as timely any 2020 Dental Amalgam Separator Certification that is filed by November 1, 2020.**

MassDEP will coordinate with other agencies and authorities in situations where the MassDEP shares jurisdiction over a regulated entity's environmental compliance obligations. MassDEP will update this Guidance if MassDEP determines modifications are necessary.

All other dental amalgam separator requirements under 310 CMR 73.00 not identified above are in effect and shall be complied with. MassDEP expects that all regulated entities will continue to operate in a manner that is safe and protects the public and the environment.

This document does not constitute “final agency action,” and is not “regulation” as that term is used in M.G.L. c.30A. It may not be relied upon to create rights, duties, obligations or defenses, implied or otherwise, enforceable by any party in any administrative proceeding with the Commonwealth. In addition, this enforcement discretion guidance does not exempt any person from complying with any other applicable local, state or federal law.

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